

ORDINANCE NO. 2006-09-096

AN ORDINANCE RELATING TO CITY ADVISORY BOARDS PURSUANT TO BELLINGHAM CITY CHARTER, SECTION 7.01, ADDING A NEW CHAPTER 2.20 TO THE BELLINGHAM MUNICIPAL CODE AND ESTABLISHING A GREENWAY ADVISORY COMMITTEE

WHEREAS, the voters of Bellingham have approved three property tax levies, the original Greenway Levy (1990), Beyond Greenways (1997), and Greenway III (2006) (the "Greenway Levies"), to provide funding to acquire, develop and maintain property and make improvements for public parks, passive and active open spaces, and trails, as a system of linked facilities under the term "greenways"; and

WHEREAS, the City Council has by Resolution (14-92, 2001-14) previously established a committee of citizens to review and recommend projects involving Greenway Levy expenditures known as the "Greenway Committee"; and

WHEREAS, it is desirable to continue the Greenway Advisory Committee pursuant to City Charter Section 7.01, in order to advise the City Council regarding the utilization and expenditure of Greenway Levy funds,

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. A new Bellingham Municipal Code Chapter 2.20 is adopted to read as follows:

2.20.010—Greenway Advisory Committee

A. Pursuant to Section 7.01 of the Bellingham City Charter, there is established a Greenway Advisory Committee that shall provide citizen advice regarding the use of Greenway Levy funds to acquire and develop parks, trails, open space and other recreational projects within the City and its adjacent Urban Growth Area.

B. The Committee shall consist of eleven members who shall be appointed by the Mayor subject to confirmation by the City Council, and shall serve terms as set forth in Section 2.20.020. Each member shall be a citizen of the United States, an elector of the City of Bellingham, a resident of the State of Washington for at least three years and of the City of Bellingham for at least two years prior to appointment to the Committee.

2.20.020—Membership—Terms of Appointment

A. Members shall be appointed from among community-minded citizens who are active in civic matters and supportive of the intent and objectives of the Greenways Levies.

B. Members shall be appointed to serve for a term of three years. Any vacancy in the membership of the Committee shall be filled in the same manner as the original appointment, with the replacement filling the remainder of the unexpired term. Members may serve for no more than two full consecutive terms.

C. The Committee may make recommendations to the Mayor for re-appointment and replacement of its members.

2.20.030—Compensation—Conflicts of interest

Committee members shall serve without compensation from the City, or from any trust, donation or legacy to the City for their services; this limitation shall not preclude a member of his/her firm receiving compensation from the City under contract or otherwise for services rendered outside his/her duties as a Committee member; provided, that any Committee member having an interest or who contemplates acquiring an interest in any particular transaction, contract, or project must disqualify himself/herself from any official action contributing towards an official recommendation to the City on that subject.

2.20.040—Authority and Duties

A. The Greenway Advisory Committee shall be authorized to do the following:

- 1.** To provide citizen advice to the City Council and the Parks and Recreation Department on implementing the intent and objectives of the Greenway Levies in a manner that best addresses current opportunities, conditions and needs.
- 2.** To consider the needs for parks, trails and open space of all citizens and Greenways system users within all geographic areas of the City and its adjacent Urban Growth Area.
- 3.** To review proposals for Greenway Levy expenditures for acquisition and development projects, and to make recommendations thereon to the Parks and Recreation Advisory Board for its consideration prior to such recommendations being submitted to the City Parks and Recreation Department and the City Council.
- 4.** To consult with and make recommendations to the Parks and Recreation Department on Greenway Levy projects and greenway program procedures developed and proposed by the Parks and Recreation Department, including individual project plans, system or area plans, selection criteria and priorities for acquisition and development projects, and procedures for expenditure and reporting of Greenway Levy funds.

5. To consult with and make recommendations to the Parks and Recreation Department on annual budgets and the six-year Capital Facilities Plan involving Greenway Levy funds.
6. To consult with and make recommendations to the Parks and Recreation Department on expenditure and budgeting of Greenway Levy endowment funds.
7. To consult with and make recommendations to the Parks and Recreation Department on the Greenways system, as an integral part of the entire City Parks and Recreation system.
8. As appropriate, to provide and make annual or special reports on its activities to the City Council.

B. In providing its recommendations, the Committee shall be guided by the overriding goal of ensuring the continued improvement of the quality of life for all citizens of the City of Bellingham by enhancing opportunities in the City Parks and Greenways systems.

2.20.050—Organization

A. The Committee shall annually elect a chair and vice-chair from among its members. The Committee shall adopt its own rules of procedure and shall have authority to make by-laws for the conduct of its business under this Ordinance.

B. The Committee shall hold at least one regular meeting each month on such date as shall be fixed by the Committee at its regular place of meeting. Additional meetings may be held as the Committee deems necessary. All meetings of the Committee shall be public meetings; provided that, to the extent necessary or appropriate, the Committee shall consider the selection of sites and the acquisition of real property confidentially in executive session when public knowledge regarding such consideration would cause a likelihood of increased price.

C. Written minutes and records of meetings and actions of the Committee shall be kept. Such records shall be public.

D. The City staff shall provide appropriate support to the Committee.

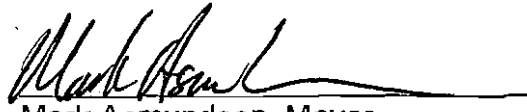
2.20.060—Effective Dates

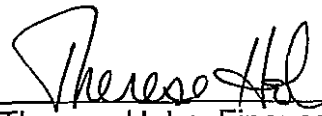
This Ordinance establishing a Greenway Advisory Committee shall be in effect for so long as a Greenway Levy (whether the current Greenway III levy or any successor thereto) is in effect in the City or there are funds collected through such a levy to be expended. In the event that the current Greenway III levy, or any successor thereto expires without being replaced or extended, the Committee shall be disbanded. Adoption of this Ordinance shall effectively replace prior City Council Resolutions 14-92 and 2001-14.

PASSED by the Council this 25th day of September, 2006.


Gene Knutson, Council President

APPROVED by me this 3rd day of October, 2006


Mark Asmundson, Mayor

ATTEST: 
Therese Holm, Finance Director

APPROVED AS TO FORM:


Office of the City Attorney

Published: September 29, 2006